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FLOOR DEBATE

February 5, 2001 LB 129, 472

am not sure...I am not sure we need to, but the amount of water I think is the critical item here. Of course, if you are a road contractor, you've got deadlines to meet, so I would assume that when you are going to use that water is pretty...is pretty obvious.

SENATOR BEUTLER: Okay, those are my only questions. Thank you.

SPEAKER KRISTENSEN: Further debate on advancement? Seeing none, Senator Schrock, you are recognized to close on the advancement of the bill. He waives that opportunity. The question before the body is the advancement of LB 129. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record.

ASSISTANT CLERK: 30 ayes, 0 nays on the motion to advance LB 129 to E & R Initial, Mr. President.

SPEAKER KRISTENSEN: The bill advances. We next move to LB 472. Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB 472 was offered by Senator Hudkins. (Read title.) The bill was read for the first time on January 10, referred to Natural Resources Committee. That committee reports the bill to General File with no committee amendments.

SPEAKER KRISTENSEN: Senator Hudkins, you are recognized to open on this bill.

SENATOR HUDKINS: Thank you, Mr. Speaker. LB 472 grew out of an interim study that we held over the last summer, and the purpose of that study was to examine Nebraska's current ground water transfer laws, most especially how it relates to small private transfers of ground water off overlying lands for domestic use on farmsteads and acreages. The common law in Nebraska is that ground water transfers off overlying lands are prohibited. However, according to the Nebraska Supreme Court, we, as a Legislature, do have the authority to create statutory exemptions to that law. And, in fact, we did that, most recently in 1995 with LB 251, and that resulted in the